GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

MA &UD Department – Allegations against Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation on violating the provisions of GHMC Act, 1955 and executing several civil contracts works in the Kadapa Municipal Corporation jurisdiction through a firm M/s. Vardhini Constructions which is owned by his immediate family members viz., his wife, Smt. Kothamaddi Jayasree and his son – Removal from the office of Mayor, Kadapa Municipal Corporation – Orders Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (G) DEPARTMENT

G.O.RT.No. 1016 **Dated: 23-09-2025**

Read the following: -

1. From Director General, General Administration (Vigilance Enforcement) Department, Appraisal Report No. 09 (C.No.0163/V&E/Engg /2025), dated 28.02.2025.
2. Govt Memo No. 22748808/G/2025 dated 12.03.2025
3. From the Commissioner & Director Municipal Administration Lr.Roc No. 13023/4/2025/H dated 18.03.2025
4. Show cause notice Memo No. 2748808/G/2025 dated 24.03.2025
5. Final Order dated 08.04.2025 of the Hon'ble High Court in WP No 9197 of 2025.
6. Final order dated 29.04.2025 of the Hon'ble High Court in WA 519 of 2025
7. G.O.Rt.No.446, MA&UD (G) Department, dt.14.05.2025.
8. IA order dated 22.05.2025 in WP 13590 of 2025
9. Final Orders dated 29.05.2025 of the Hon'ble High Court in WA No. 669 of 2025.
10. G.O. Rt. No.625, MA&UD (G) Department, dated 25.06.2025.
11. Orders of Hon'ble High Court of AP dt 18.07.2025 in W.P. No.14469 of 2025.
12. Govt. Memo No. 2748808/G/2025, dt 05.08.2025.
13. From Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation, letter dt 10.08.2025 received on 13.08.2025.
14. Govt Memo No. 2748808/G/2025 dt 14.08.2025
15. Representation dt 16.06.2025 submitted on 03.09.2025 by Sri. K.Suresh Babu, Mayor, Kadapa Municipal Corporation
16. Govt. Memo No. 2748808/G/2025 dated 08.09.2025
17. Municipal Commissioner Kadapa letter dt 09.09.2025
18. Orders dated 12.09.2025 of the Hon'ble High Court in WP 24678
19. Proceedings of perusal of records by Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation at 11.00 AM on 17.09.2025 at the office of the Principal Secretary, Municipal Administration & Urban Development Department.
20. Written Submissions by the Advocate on behalf of Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation dt 17.09.2025.

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ORDER:

In the Ref 1st read above, the Vigilance & Enforcement Department furnished an enquiry report on the following allegations made against Sri K. Suresh Babu, Mayor, Kadapa Municipal

P.T.O.

Corporation by the petitioner Smt. Madhavi Reddeppagari, M.L.A., Kadapa Assembly Constituency: -

The petitioner stated that Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation violated the provisions of GHMC Act, 1995 and executed several Civil Contract works through a firm viz. M/s. Vardhini Constructions which is owned by his family members, even though he is aware of the fact that he will be disqualified for being Mayor of Kadapa Municipal Corporation. The petitioner further stated that Smt. Kothamaddi Jayasree w/o Sri Kothamaddi Suresh Babu, Mayor Kadapa Municipal Corporation is a partner of M/s Vardhini Constructions and is also active in politics for more than 03 decades and served as Sarpanch, Chinna Chowk Village as well as Corporator in Kadapa Municipal Corporation. She must have known that a member shall be disqualified when she or their family member in a local body, shall have any share or interest in any contract or has employment with, by or on behalf of the corporation/local body. The said firm executed several civil works in Kadapa Municipal Corporation.

Also stated that the Executive Engineer, KMC considered M/s. Vardhini constructions as class V civil contractor in KMC, which belongs to the family member of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation vide proc. No. 2694/2002/E1, dated: 05.05.2023.

Clause (h) of sub rule 01 of Rule 22 of GHMC Act, 1955 clearly states that "Subject to the provisions of Sub-Section (2) has directly or indirectly, by himself or his partner or if he belongs to a joint Hindu family, by any member or such family, any share or interest in any contract or has employment with, by or on behalf of the corporation" a person shall be disqualified for being an elected member.

Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation and his family is well aware of the sustained Acts and rules, having experience in politics for more than 03 decades. However, they misused their power with malafide intention for their monetary benefits, by breaking the laws and rules consciously.

The Vigilance & Enforcement officials obtained the relevant records from the Commissioner, Kadapa Municipal Corporation and verified the records.

The V&E observations in the Enquiry Report are as follows:

I. The tenure of Mayor in any Municipal Corporation in Andhra Pradesh is five years from the date of taking the oath. In Kadapa Municipal Corporation, Sri Kothamaddi Suresh Babu assumed office as Mayor on 18.03.2021 and his tenure will end on 17.03.2026.

II. The firm M/s. Sri Vardhini Constructions got registered as a Class V contractor vide proceeding Roc. No. 2694/2002/1 dated: 15.05.2023.

III. As per the nomination filed by the present Mayor Sri Kothamaddi Suresh Babu, Sri Kothamaddi Amaresh (Son) and Smt. Kothamaddi Jayasree (Wife) are his family members.

IV. During verification of M/s. Sri Vardhini Constructions firm details, it was observed that the Managing/Authorized Partners of the said firm are Sri Kothamaddi Amaresh and Smt. Kothamaddi Jayasree, who are the family members of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation.

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V. M/s. Sri Vardhini Constructions was awarded 10 works with an estimated cost of Rs.55.64 lakhs by the Municipal Corporation, Kadapa during the tenure of the present Mayor Sri. Kothamaddi Suresh Babu. Out of the said 10 works, 7 works were completed and Rs.33.65 lakhs was paid to the agency and agreements were concluded for the remaining 3 works and these works are not started.

The details of the works are as following:

Sl. No	Name of Work	Estimated Amount In Rs.	Status of the Work
1	Providing of CC Road D.No.36/323-5-4 to 36/323-7-5 at pakkirpalli in 12th Division.	100000	Completed
2	Providing of Revetment (RR) & cc Approaches along the canal near sanjanna circle to varcas compound wall.	1000000	Completed
3	Providing of cc road from D.no 36/323-75 to 36/323-21-1-12 at Srinagar colony road -2 12th division in KMC.	360000	Completed
4	Desilting of Major storm water Drain from Beside Eco Park to DC road	496000	Completed
5	Desilting of Existing Stom water Drain from KS Nagar to Nanapalli.	492000	Completed
6	Desilting of Major storm water Drain from: visveswaralah circle to patel road, rajeevmarg road to sbi bank and himalaya hospital to sbi bank in Kadapa Municipal Corporation.	500000	Completed
7	Providing of Pipeline interconnection at Machupalli Bus Stand from D.No. 18/115to 18/324 in 29th Division of Kadapa Municipal Corporation.	225000	Completed
8	Laying of CC Patches from Church D.NO. 38/10 and in Buddayapalli 4th Division.	998000	Agreement Concluded but Work not started
9	Laying of CC Road from D.NO. 38/22-1 to 38/26-2-3 near BuddayapalliSachivalayam in 4th Division.	998000	Agreement Concluded but Work not started
10	Laying of CC Road D.No. 36/323-4-1 to Main Road (bypass) at Srinagar Colony in 12th Division in Kadapa Municipal Corporation.	395000	Agreement Concluded but Work not started

VI. Clause 22-1(h) of GHMC Act and the rules of 1955 and 1956 states, "Subject to the provisions of sub-section (2), any person who has, directly or indirectly, by himself or through his partner, or if he belongs to a joint Hindu family, by any member of such family,

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any share or Interest in any contract or employment with, by, or on behalf of the Corporation shall be disqualified."

Additionally, Clause 23(1) states:
"A member shall cease to be a member if he (a) is or becomes subject to any of the disqualifications specified in Section 22."

vii. As seen from the above, the present Mayor, Sri Kothamaddi Suresh Babu violated Clause 22-1(h) of the GHMC Act No.II of 1956 during his tenure by allowing his family members Sri. Kothamaddi Amaresh (Son) and Smt. Kothamaddi Jayasree (Wife) to execute works in Kadapa Municipal Corporation through his own firm M/s. Sri Vardhini Constructions in which they were the Managing/Authorized Partners.

Since the allegation made by the petitioner that, "Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation violated the provisions of GHMC Act, 1995 and executed several Civil Contract works through a firm viz. M/s. Vardhini Constructions which is owned by his family members, even though he is aware of the fact that he will be disqualified for being Mayor of Kadapa Municipal Corporation" is found to be substantiated and he is liable for disqualification as per the provisions of GHMC Act, 1955.

While stating the above, the DG, GA (V&E) Dept. has recommended to take appropriate action against the Mayor, as he violated the provisions of the GHMC Act No. II of 1956.

2. Based on the appraisal report submitted by V&E, Government vide Ref 2nd read above has sought remarks from the Commissioner & Director Municipal Administration (CDMA). Vide ref 3rd read above the CDMA after perusal of the reports and verification of relevant documents has stated that the violations reported against the Mayor, Kadapa Municipal Corporation attracts the provisions of Section 22 & 23 of the Municipal Corporations Act 1955 and further action as per the provisions of the GHMC Act 1955 may be taken.

3. Based on the ref 1st read above and remarks of CDMA vide Ref 3rd read above, Government vide Ref 4th read above have issued show cause notice to Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation to show cause as to why he shall not be liable to be disqualified and removed as Mayor, Kadapa Municipal Corporation for committing irregularities in execution of several Civil Contract works in Kadapa Municipal Corporation jurisdiction through a firm viz. M/s. Vardhini Constructions which is owned by his family members and he was requested to submit his explanation in writing on the allegations within a period of 15 days to Government and that if no explanation is received within the stipulated time, further necessary steps will be contemplated based on the available material as per the provisions of GHMC Act, 1955 and rules in force.

4. The above show cause notice was received by Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation on Dt.28.03.2025.

5. Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation has filed WP.No.9197 of 2025 praying the Hon'ble AP High Court to issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings in 4th read above issued by the Respondent No.1 (State of A.P. represented by Prl. Secy., MA&UD) as illegal arbitrary and one without jurisdiction and contrary to the provisions of the A.P.

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Municipal Corporations Act, 1955 apart from being violative of the fundamental rights guaranteed to me under Articles 14, 19 and 21 of the Constitution of India and consequently set aside the same. The Hon'ble High Court disposed the Writ Petition on 08.04.2025 with a direction to provide all the documents to the petitioner and directed the petitioner to submit his explanation within two weeks from receipt of order.

6. In compliance, to the Ref 5th read above, in W.P.No.9197 of 2025 filed by Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation, the copies of Complaint petition of Smt. Madhavi Reddappagari, Hon'ble MLA, Kadapa Assembly Constituency and General Administration (Vigilance & Enforcement) Department, Appraisal Report No.09 (C.No.0163/V&E/Engg./2025), Dated 28.02.2025 along with enclosures were sent to him vide Govt. Memo dt.22.04.2025.

7. In the meantime, Sri K. Suresh Babu, Mayor, Kadapa Municipal Corporation has filed WA No.519 of 2025 against above order, dated.08.04.2025 passed in WP.No.9197 of 2025. The Hon'ble APHC has disposed of W.A.No.519 of 2025 vide ref 6th read above with the following directions: -

> " ..... We do not find any reason to interfere with the judgment and order impugned. However, we dispose of the present writ appeal with the following directions. In case the appellant herein files his response to the impugned Show Cause Notice within a period of 10 days from today, the authority shall pass a speaking order after giving an opportunity of being heard. Furthermore, if the said order is adverse to the interest of the appellant in any manner, the same shall not be given effect to for at least a period of two weeks thereafter."

8. In compliance to the above orders of Hon'ble AP High Court, Sri K. Suresh Babu, Mayor, Kadapa Municipal Corporation was requested to attend the personal hearing to be held on 13.05.2025 at 3.00 PM in the Chambers of Prl. Secy. to Govt., MA&UD, AP. Secretariat, Velagapudi. Sri K. Suresh Babu, Mayor has appeared in person on 13.05.2025 and submitted his explanation in writing.

9. After examination of the explanation submitted by Sri K. Suresh Babu, Mayor in person and also in writing, Govt., issued orders vide Ref 7th read above to remove Sri K. Suresh Babu from the office of Mayor, Kadapa Municipal Corporation under 679 (B) (1) of GHMC Act, 1955 for committing irregularities in execution of several Civil Contract works in Kadapa Municipal Corporation jurisdiction through a firm viz. M/s. Vardhini Constructions which is owned by his family members and thus disobeying the Section 22-1(h) of GHMC Act, 1955 read with Section 23 (1) of the GHMC Act, 1955 along with a proviso that the order shall be given effect two weeks after issue of order.

10. Subsequently, Sri K. Suresh Babu filed IA No.1 of 2025 against ref 7th read above and Hon'ble High Court of AP, dismissed the I.A vide Ref 8th read above.

11. Further Sri K. Suresh Babu filed an appeal WA No.669 of 2025 challenging the interim order passed by the learned single Judge of the Hon'ble High Court dated.22.5.2025 in W.P.No.13590 of 2025.

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12. In the Ref 9th read above, in WA No.669 of 2025, the Hon'ble High Court while allowing the Writ Appeal on 29.05.2025 has directed as under: *"…… this Court is of the considered view that the order of the learned single Judge deserves to be set aside. The respondents are hereby directed to maintain status quo till a fresh adjudication is taken up by following the due process of law and granting a fair opportunity to the petitioner as directed by the Division Bench of this Court….."*

13. In the ref 10th read above, Government has cancelled the orders issued in Ref 7th read above.

14. In the Ref 11th read above, in WP No.14469 of 2025, the Hon'ble High Court was pleased to close the WP on 18.07.2025 observing as under:

> *"……. when the matter was taken up for hearing, the learned Special Government Pleader appearing for the State submitted that the Government has decided to cancel the orders issued in G.O.Rt.No.446 dated 14.05.2025, and that a fresh notice for the appearance of the petitioner has been issued. Accordingly, the observations made during the personal hearing on 16.06.2025 shall no longer be on record."*

15. In the ref 12th read above, based on the above orders of Hon'ble AP High Court in WP.No.14469 of 2025, Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation was issued a notice to attend the hearing to be held on dt. 13.08.2025 at 3.00 PM. Vide reference 13th read above, Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation has requested to grant one adjournment not less than one week time for him to appear for personal hearing, citing personal inconvenience.

16. In the reference 14th read above, considering the request of Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation, another opportunity of hearing was given to him to attend the hearing on 03.09.2025 at 3.00 PM.

17. On 03.09.2025 Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation along with his Advocate Sri. V.R. Reddy Kovvuri appeared and has submitted a letter dated 16.06.2025 to the Principal Secretary, MA&UD. The Principal Secretary, MA&UD has asked Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation, whether he was aware that M/s Vardhini Constructions is owned by his wife, Smt. Kothamaddi Jayasree and his son and is it a fact whether the said firm has executed works in Kadapa Municipal Corporation. In response, he has categorically stated that he is well aware of it and the said fact was never disputed.

18. Further in the explanation submitted by him vide ref. 15th read above, he has requested to call for the records related to the contract works, which were awarded in favour of M/s Vardhini Constructions and also to direct the then Commissioner, Kadapa Municipal Corporation to appear before the Hon'ble Authority to find out, as to whether the same were awarded in competitive bidding through tender process or under his influence.

19. The Government prior to the issuance of ref 4th read above, has perused all the records thoroughly and vide Govt. Memo No. 2748808/G/2025 dt 20.05.2025 has called for a report from the Municipal Commissioner, Kadapa and the Municipal Commissioner vide Lr.Roc.No.99/KMC/ATO/2025, dated 20.05.2025 has submitted the Report on the contract works, which were awarded in favour of M/s Vardhini Constructions.

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20. Moreover, Sri. K. Suresh Babu, as the Mayor , Kadapa Municipal Corporation has access to all the records of the Municipal Corporation, Kadapa. Despite that he made a request to call for the records related to the contract works, which were awarded in favour of M/s Vardhini Constructions.

21. It is clear that, the issue under consideration pertains to the Mayor willfully omits or refuses to carry out or disobeys the provisions of the GHMC Act, 1955 by abusing his powers, and the proposed action is for removal from the office of Mayor under Section 679(B)(1) of the said Act. The matter does not concern the procedural aspects of tendering or competitive bidding, as clarified during the earlier proceedings. The issue is not about whether the contracts were awarded in competitive bidding through tender process or under his influence.

22. However, since a request was made calling for the records vide letter dated 16.06.2025 submitted on 03.09.2025, vide Ref 16th read above, Sri K. Suresh Babu, Mayor of Kadapa Municipal Corporation was informed that all the records pertaining to the contract works, awarded in favour of M/s Vardhini Constructions owned by his wife, Smt. Kothamaddi Jayasree and his son are made available for inspection at the Office of the Principal Secretary, Municipal Administration & Urban Development Department on 17.09.2025 at 11:00 AM. He was further directed to appear for personal hearing on 17.09.2025 at 3:00 PM.

23. Thereafter the Commissioner, Municipal Corporation Kadapa has served the said Memo dt 08.09.2025 along with other related annexures to Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation on 09.09.2025 vide Ref 17th cited.

24. In the meantime, challenging the Memo dt 08.09.2025, Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation has filed WP 24678 of 2025 on 11.09.2025 and the Hon'ble High Court on 12.09.2025 was not pleased to grant any order and posted the matter to 10.10.2025 for filing of Counter by the Respondents. However, on 18.09.2025 Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation has filed seeking withdrawal of WP 24678 of 2025, and on 19.09.2025, the said WP was disposed of as uncontested – withdrawn.

25. On 17.09.2025 at 11.00 AM, as per ref 16th read above, the records related to the contract works, which were awarded in favour of M/s Vardhini Constructions, Kadapa Municipal Corporation was arranged at the Office of the Principal Secretary, Municipal Administration & Urban Development Department.The Municipal Commissioner, Kadapa has placed all the below records relating to the below mentioned works undertaken by M/s. Vardhini Constructions before Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation for his perusal and verification:

Sl.No.	Name of the work
1	Providing of CC Road D.NO. 36/323-5-4 to 36/323-7-5 at Srinagar Colony Road No. 02, in 12th Division of Kadapa Municipal Corporation
2	Providing of Itevetment (RR) & CC Approaches along the canal near sanjanna circle to varcas compound wall

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3	providing of cc road from D.No 36/323-7-5 to 36/323-21-1-12 at Srinagar colony road-2 12th division in Kadapa Municipal Corporation
4	Desilting of Major storm water Drain from Beside Eco Park to DC road
5	Desilting of Major storm water Drain from KS Nagar to Nanapalli
6	Desilting of Existing Stom water Drain from visveswaraiah circle to patel road, rajeevmarg road to sbi bank and himalaya hospital to sbi bank in Kadapa Municipal Corporation.
7	Providing of Pipeline Interconnection at Machupalli Bus Stand from D.No. 18/115 to 18/324 in 29th Division of Kadapa Municipal Corporation
8	Laying of CC patches from Church D.NO. 38/10 and in Buddayapalli 4th Division of Kadapa Municipal Corporation
9	Laying of CC Road from D.NO. 38/22-1 to 38/26-2-3 near Buddayapalli Sachivalayam in 4th Division
10	Laying of CC Road D.No. 36/323-4-1 to Main Road (bypass) at Srinagar Colony

26. Further, the following records available with the Government were also placed before Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation for his perusal:

- Appraisal Report No.09 (C.No.0163/V&E/Engg./2025), Dated:28-02-2025 received from the Director General, GA(V&E) Dept.
- Letter Roc.No.99/KMC/ATO/2025, dt.20.05.2025 of the Commissioner, Kadapa Municipal Corporation along with information on Administrative sanction, Technical sanction, Tenders & Agreement particulars of the works executed by M/s. Vardhini Constructions.

27 . Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation attended at 11.00 AM on 17.09.2025 at the office of the Principal Secretary, Municipal Administration & Urban Development Department and perused the records. The same was recorded.

28. On 17.09.2025 at 3.00 p.m. Sri K. Suresh Babu, Mayor, Kadapa Municipal corporation along with his advocate attended before the Prl. Secy. to Govt., MA&UD. In the reference 20th read above on behalf of Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation, his Advocate, V.R. Reddy Kovvuri has submitted the Written Submissions as follows:

i. It is true that the Firm namely M/s Vardhini Constructions is owned by his wife and son, but it is not correct to say that the said works were executed with his knowledge, as the said works have been awarded by the then Commissioner, Kadapa Municipal Corporation being competent authority and that the face value of the works are valued up to Rs. Ten (10) lakhs, after inviting tenders and that the same were not placed before the Council.

ii. The disqualification which is referred to under section 22 (1) (h) of the Act, 1955 does not apply either to disqualify Sri. K. Suresh Babu as Member / Mayor of the Municipal Corporation or to remove him from the position of Mayor, Kadapa Municipal Corporation, and that the said issue is required to be adjudicated as is provided under Section 23 – D

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of the Act, 1955 by a competent Civil Court, to declare that, Sri. K. Suresh Babu Mayor, disqualified to be elected as the Member of Corporation.

iii. That invoking of the powers conferred under Section 679– B of the Act, 1955 for removal of Sri. K. Suresh Babu, as Mayor, Kadapa Municipal Corporation, Kadapa referring to the disqualification alleged to have been incurred under Section 22 (1) (h) of the Act, 1955, is nothing but, contrary to the scheme envisaged under the provisions of the Act, 1955, that, too, at the instance of the local MLA, to remove him from the post of Mayor by bypassing the procedure envisaged under Section 23 – D of the Act, 1955.

iv. That since the action was initiated by the Hon'ble Authority under Section 679 – B of the Act, 1955, vide notice dated 24.03.2025 for removal of Sri. K. Suresh Babu as Mayor, Kadapa Municipal Corporation, for alleged violation of the provisions of section 679 – B (2) of the Act, 1955, there is burden on Sri. K. Suresh Babu, Mayor, to disprove the allegations levelled against him, he has submitted a requisition dated 03.09.2025 to call for the records related to the contract works which were awarded in favour of M/s Vardhini Constructions and also to direct the then Commissioner, Kadapa Municipal Corporation to appear before Hon'ble Authority to find out as to whether the same were awarded in competitive bidding through tender process or under his influence.

v. That Sri. K. Suresh Babu Mayor, verified the records which were made available in the office of the Hon'ble Authority and that on such verification the same would amply evident that the then Commissioner, Kadapa Municipal Corporation, Kadapa Municipal Corporation, had invited tenders for more than once, as there was no response from the bidders for some of the contract works in Kadapa Municipal Corporation and the Firm owned by his family members have participated in the said tender process and that on its successful bidding the contract works had been awarded in its favour and that the question of abusing his position as Mayor in getting awarded the contract works in favour of the Firm owned by his family members does not at all arise and that therefore, there is no basis whatsoever to substantiate that, Sri. K. Suresh Babu as Mayor, Kadapa Municipal Corporation, has abused his position as Mayor, Kadapa Municipal Corporation, in getting awarded the contract works in Kadapa Municipal Corporation jurisdiction and hence he is liable to be removed from the post of Mayor and to drop all further proceedings in pursuance of ref 4th read above.

Observations

29. In this regard, the explanation tendered by Sri K. Suresh Babu, Mayor, Kadapa Municipal Corporation, as referred to in Para 28 (i) above, clearly attracts the provisions of Section 22 of the Greater Hyderabad Municipal Corporation Act, 1955, specifically clause (h) thereof, which stipulates that: "Any member shall be disqualified for being elected or continuing as a member if he has, directly or indirectly, by himself or through his partner, or if he belongs to a Joint Hindu Family, through any member of such family, any share or interest in any contract or employment with, by or on behalf of the Corporation."

30. It is reiterated that Sri K. Suresh Babu, in his capacity as Mayor of Kadapa Municipal Corporation, is entrusted with executive and representative functions under the municipal governance framework, as mandated by Part IX-A of the Constitution of India, inserted through

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the 74th Amendment Act, 1992. It is further noted that Sri K. Suresh Babu has, on record, affirmed that he has been discharging his duties with utmost diligence and fidelity. However, in the course of such discharge, it was incumbent upon him to remain fully aware of the statutory provisions governing disqualification, particularly under Section 22(1)(h) of the GHMC, 1955. The facts and circumstances as set out hereinabove clearly attract the said provision, and the aspect of the Mayor's knowledge or lack thereof regarding the awarding of contract works to his family members is immaterial to the applicability of disqualification under the Act.

31. Further, the contention raised by Sri K. Suresh Babu, Mayor, that the said contract works were awarded by the then Commissioner, Kadapa Municipal Corporation, being the competent authority, and that the works were of value not exceeding Rs. Ten (10) lakhs, awarded through a tendering process and not placed before the Council, is not acceptable. The said justification does not hold merit in view of the explicit and unambiguous grounds of disqualification for continuing as a member, as stipulated under Section 22 and under Section 22 (1) (h) of the GHMC Act, 1955.

32. Further the contention of Sri K. Suresh Babu, Mayor, Kadapa Municipal Corporation that the disqualification referred to under Section 22(1)(h) of the GHMC Act, 1955 does not apply to him, and that the matter requires adjudication under Section 23-D of the said Act by a competent Civil Court, is not tenable. It is clarified that the present proceedings are not for a declaratory determination of disqualification under Section 23-D, but rather for action under Section 679-B(1) of the GHMC Act, 1955, which empowers the Government to remove a Mayor from office if, in its opinion, he has wilfully omitted or refused to carry out the provisions of the Act or has abused the powers vested in him, resulting in misconduct or maladministration. In the instant case, the admitted facts and material on record clearly demonstrate that Sri K. Suresh Babu, while holding the office of Mayor, has permitted the execution of multiple civil contract works by a firm owned by his immediate family members, thereby attracting the disqualification criteria under Section 22(1)(h). Based on an appraisal of facts, reports and personal hearings, it is well within the power of the Government to take action under Section 679-B, and the invocation of this section is distinct and independent from the adjudicatory mechanism under Section 23-D of the said Act, which is for disqualification of a member.

33. Further, the contention that the invocation of powers under Section 679-B of the GHMC Act, 1955 for the removal of Sri K. Suresh Babu, Mayor, Kadapa Municipal Corporation, is contrary to the scheme envisaged under the said Act and has been initiated at the behest of the local MLA, is not sustainable. It is clarified that under Section 679-B of the GHMC Act, 1955, the Government is vested with the authority to remove any Mayor who, in its opinion, willfully omits or refuses to carry out, or disobeys the provisions of the Act or any rules, bye-laws, regulations, or lawful orders issued thereunder, or abuses the powers or position vested in him. Thus, the action initiated for the removal of Sri K. Suresh Babu as Mayor, is not at the instance of any elected representative, but is based on the findings of the Vigilance and Enforcement Department. The said V&E report categorically establishes that Sri K. Suresh Babu, during his tenure as Mayor, has permitted his immediate family members, namely his wife and son, to execute works within the Kadapa Municipal Corporation through their firm, M/s Vardhini

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Constructions. This conduct constitutes a clear violation by Mayor who wilfully omitted or refused to carry out or disobeyed the provisions of the GHMC Act, 1955 by abusing his powers, thereby attracting disqualification and warranting removal under the provisions of Section 679-B.

34. Further, it is observed that the registered address of the partnership firm M/s. Vardhini Constructions, through which the civil contract works were executed, is the same as the residential address of Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation, as declared in his official records. This factual circumstance establishes a direct and inescapable nexus between the Mayor and the said firm. In view of this, the contention of Sri K. Suresh Babu that the works were executed without his knowledge is untenable and lacks credibility. The shared address strongly indicates his awareness and tacit approval of the firm's activities within the Municipal Corporation during his tenure, further reinforcing the conclusion that he failed to maintain the standards of conduct expected of his office.

35. Further, with reference to the requisition dated 03.09.2025 submitted by Sri K. Suresh Babu, Mayor, Kadapa Municipal Corporation, seeking production of records pertaining to the contract works awarded to M/s Vardhini Constructions and requesting the appearance of the then Commissioner, Kadapa Municipal Corporation, it is hereby stated as follows:

- Sri K. Suresh Babu, Mayor, has personally verified the relevant records on 17.09.2025, as mentioned above at Para No.25 in the presence of the Municipal Commissioner, Kadapa Municipal Corporation. It is needless to mention that in Government proceedings, it is not the individual officer but the official records / files that constitute the basis for establishing whether due procedure and statutory rules were followed.
- Furthermore, the hearing conducted on 17.09.2025 is of a quasi-judicial nature, governed by principles of administrative law and statutory compliance. As such, there is no scope for examination of individuals or officers in the manner suggested. The plea of the Mayor to direct the then Commissioner to find out as to whether the same were awarded in competitive bidding through tender process or under his influence, is therefore unsustainable and procedurally untenable.

36. Further, the findings of the Vigilance and Enforcement Department clearly establish that during his tenure as Mayor, Sri K. Suresh Babu permitted his immediate family members, namely his wife and son, to execute contract works through their firm, M/s Vardhini Constructions, thereby attracting disqualification under Section 22(1)(h) read with Section 23(1) of the GHMC Act, 1955. The fact that tenders were invited more than once or that the firm participated through competitive bidding does not negate the statutory bar under Section 22(1)(h), which prohibits any member from having direct or indirect interest in contracts with the Corporation.

37. Accordingly, the removal of Sri K. Suresh Babu from the post of Mayor is not only warranted but is also in strict conformity with the provisions of the Act. The proceedings initiated under ref 4th read above, are therefore valid and sustainable.

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38. Government after careful examination of the General Administration (Vigilance & Enforcement) report in reference 1st read above, and the written submissions submitted on behalf of Sri. K. Suresh Babu, Mayor, Kadapa Municipal Corporation and in view of the powers conferred under 679 (B) (1) of GHMC Act, 1955 hereby decided to remove Sri. Kothamaddi Suresh Babu, from the office of the Mayor, Kadapa Municipal Corporation for committing irregularities in execution of several civil contract works in Kadapa Municipal Corporation jurisdiction through a firm Viz. M/s Vardhini Constructions which is owned by his immediate family members and thus disobeying the Section 22-1(h) read with Section 23 (1) of the GHMC Act 1955.

39. Accordingly, the following notification shall be published in the Extra-ordinary issue of A.P.Gazette dt.23.09.2025.

40. The Commissioner, Printing, Stationary & Stores Purchase, A.P., Vijayawada shall furnish 50 copies of the Gazette Notification to the Government.

NOTIFICATION

In exercise of the powers conferred under Section 679(B)(1) of the GHMC Act, 1955, the Government hereby removes Sri Kothamaddi Suresh Babu from the office of Mayor, Kadapa Municipal Corporation, with immediate effect, for having committed irregularities in the execution of several civil contract works within the jurisdiction of Kadapa Municipal Corporation through a firm M/s. Vardhini Constructions, which is owned by his immediate family members, and thereby having wilfully disobeyed the provisions of law and abused the powers vested in him under the Act.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S SURESH KUMAR, I.A.S
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationary & Stores Purchase, Vijayawada.
Sri Kothamaddi Suresh Babu, Mayor, Kadapa Municipal Corporation, Kadapa
(Through the Commissioner, Kadapa Municipal Corporation)
The Commissioner, Kadapa Municipal Corporation, Kadapa.
(With a request to serve the order and furnish served copy to Government)
The Commissioner of Director of Municipal Administration, AP., Vaddeswaram.
Copy to:
The Commissioner, State Election Commission, Vijayawada
The General Administration (Vigilance & Enforcement) Department.
The Collector and District Magistrate, Kadapa.
The OSD to Minister for MA & UD.
The P.S to Principal Secretary to Government (MA & UD).
SF/SC.(e-2748808)

//FORWARDED :: BY ORDER//

SECTION OFFICER